

REMARKS/ARGUMENTS

In the Office Action of January 8, 2004, the Examiner raised the objection contained in Form Paragraph 7.29.04:

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Applicant responded on July 7, 2004 by deleting URL protocol prefixes (`http://` and `ftp://`) from URLs originally contained in the patent application. Applicant's rationale for doing so was that no standard browser can interpret the remaining domain name, without explicitly being provided the deleted `http://` or `ftp://`, which is needed to specify a hyperlink's protocol. This rationale is also suggested by a sentence in the MPEP in the discussion preceding this Form Paragraph, which points out the need for "`<>`" or "`http://`", or the like, in order for a hyperlink to exist:

Examples of a hyperlink or a browser-executable code are a URL placed between these symbols "`<>`" and `http://` followed by a URL address.

In the present Office communication, the Examiner is suggesting that some web browser can interpret a domain name, such as `www.fsf.org`, as being an active hyperlink, apparently by converting the domain name to a valid URL by inserting the URL prefix, namely, convert to `http://www.fsf.org`. In the example cited by the Examiner, the suggestion may be that because the third-level domain is `www`, a URL prefix of `http://` is implied to the browser by convention. A similar suggestion might be made if the third-level domain were `ftp`, in which case a URL prefix of `ftp://` might be implied to the browser by convention. However, Applicant believes that a domain name would not in general imply a complete URL to a browser. For example, when the browser encounters the domain name `lib.stat.cmu.edu` that was found in the application, would it interpret the text `lib.stat.cmu.edu` as being an implied URL? If so, would it interpret it as being `http://`

lib.stat.cmu.edu or ftp:// lib.stat.cmu.edu or mailto:// lib.stat.cmu.edu or something else? Rather than speculate on the way that a hypothetical, non-standard browser might identify and interpret domain names, Applicant has responded by to the Office Communication by breaking the domain names into non-contiguous parts, in such a way that it would be impossible for a link to even exist within the text. Thus, the circumstances contemplated in the following section of the MPEP accompanying Form Paragraph 7.29.04 cannot exist, after the amendments are made as described in this Response letter:

When a patent application with embedded hyperlinks and/or other forms of browser-executable code issues as a patent (or is published as a patent application publication) and the patent document is placed on the USPTO web page, when the patent document is retrieved and viewed via a web browser, the URL is interpreted as a valid HTML code and it becomes a live web link. When a user clicks on the link with a mouse, the user will be transferred to another web page identified by the URL, if it exists, which could be a commercial web site. USPTO policy does not permit the USPTO to link to any commercial sites since the USPTO exercises no control over the organization, views or accuracy of the information contained on these outside sites.

The number of amendments made in this response is greater than the number of such amendments made in Applicant's response of July 7, 2004, because this response amends situations involving not only "http://" or "ftp://", but also situations involving domain names in general. Please note that one of the amendments in Applicant's July 7, 2004 response (No. 15, which was deleted in Amendment No. 1 of the present response), need not have been made because the corresponding section of text had been deleted in amendment No. 36 of Applicant's response of October 20, 2003.

Finally, please note that Amendments No. 13 and 14 of this response pertain to the construction of Web addresses that are a part of the disclosed invention. Applicant requests that the Examiner not object to the corresponding text for those amendments in particular, because

they are an integral component of Applicant's disclosure. Applicant believes that the other amendments retain information needed to meet the disclosure requirement of the first paragraph of 35 U.S.C. 112, but without including any active hyperlink.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case because the response was filed within the period of time indicated in the Office Communication.

Respectfully submitted,

David R Rigney

David R. Rigney, Inventor

GENETWORKS Inc.
P.O. Box 33296
Austin TX 78764-0296
Tel. 512-445-7301
drigney@genetworks.com



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